



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

ELECTRONIC MAIL
CONFIRMATION OF RECEIPT EMAIL REQUESTED

Mr. Kyle Seagraves
Environmental Health and Safety Manager
Giant Resource Recovery-Attalla, Inc.
1229 Valley Drive
Attalla, Alabama 35954
kseagraves@gchi.com

SUBJ: Request for Information Pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927
Giant Resource Recovery-Attalla, Inc., EPA ID# ALD070513767

Dear Mr. Seagraves:

On August 19-20, 2020, the U.S. Environmental Protection Agency, along with the Alabama Department of Environmental Management (ADEM), conducted a RCRA compliance evaluation inspection (CEI) at Giant Resource Recovery-Attalla, Inc. (GRR), located in Attalla, Alabama to determine the facility's compliance status with the Resource Conservation and Recovery Act (RCRA) and Alabama Hazardous Waste Management and Minimization Act of 1978 (AHWMMA), Ala. Code § 22-30-1 et seq. and applicable regulations.

Pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, GRR management is hereby directed to respond, fully and truthfully, within thirty (30) calendar days of receipt of this letter, to the Information Request enclosed herein as Enclosure C (subject to the Instructions in Enclosure A, and the Definitions in Enclosure B). With your response, please include a signed copy of Enclosure D.

Compliance with this request for information is mandatory, and information provided by GRR may be used by the EPA in future enforcement actions. Failure to respond fully and truthfully to each and every question or information request within thirty (30) calendar days of receipt of this letter, or to adequately justify such failure to respond, may result in further enforcement action against GRR by the EPA pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. Your response to this request for information should be emailed to Alan Newman at newman.alan@epa.gov.

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. GRR may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described in 40 C.F.R. § 2.203(b), by attaching to such information, at the time it is submitted, a suitable notice employing language such as trade secret or proprietary or company confidential. Information covered by such a claim will be disclosed by the EPA only to the extent and only by means of the procedures set forth in 40 C.F.R.

Internet Address (URL) <http://www.epa.gov>

Part 2, Subpart B. If no such claim accompanies the information when it is received by the EPA, it may be made available to the Public by the EPA without further notice to GRR. The EPA will construe the failure to furnish a confidentiality claim with your response to this letter as a waiver of that claim. GRR should read the above-cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

This Information Request is not subject to the approval requirement of the Paper Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

Should you have any questions on this matter, please contact Alan Newman of my staff, by phone at (404) 562-8589 or by email at newman.alan@epa.gov.

Sincerely,

for Kimberly L. Bingham
Chief
Chemical Safety and Land Enforcement Branch

Enclosure

ENCLOSURE A

INFORMATION REQUEST

Instructions:

1. Identify the person(s) responding to these Information Requests on behalf of Respondent.
2. A separate response must be made to each of the Information Requests set forth herein.
3. Precede each answer with the number of the Information Request to which it corresponds.
4. In answering each Information Request question, identify all documents and persons consulted, examined, or referred to in the preparation of each response and provide true and accurate copies of all such documents.
5. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Moreover, should you find at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth; you must notify the EPA thereof as soon as possible.
6. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
7. Where specific information has not been memorialized in a document, but is nonetheless responsive to the Request, you must respond to the question with a written response.
8. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
9. If you have reason to believe that there may be persons able to provide a detailed or complete response to any Information Request question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
10. The information requested herein must be provided even though the Respondent may contend that it includes possibly confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Section 3007(b) of RCRA, 42 U.S.C. Section 6927(b), Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. Sections 9604(e)(7)(E) and (F), and 40 C.F.R. Section 2.203(b), by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as trade secret, or proprietary, or company confidential. Information covered by such a claim will be disclosed by the EPA only to the extent, and only by means, of the procedures set forth in statutes and regulation set forth above. If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you. You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

ENCLOSURE B

INFORMATION REQUEST

Definitions:

The following definitions shall apply to the following words as they appear in this Information Request.

1. The terms AND and OR shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside their scope.
2. The term DOCUMENT and DOCUMENTS shall include writings of any kind, formal or informal, whether or not wholly or partially in handwriting (including by way of illustration and not by way of limitation), any invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, inter-office or intra-office communications, photostat or other copy of any documents, microfilm or other film record, photograph, sound recording on any type of device, punch card, disc or disc pack, tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use punch card, disc, disc pack, tape or the type of memory) including; (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure, notation, annotation, or the like of it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.
3. The term FACILITY shall mean Giant Resource Recovery-Attalla, Inc. located at 1229 Valley Drive, Attalla, Alabama.
4. The term IDENTIFY means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term IDENTIFY means, with respect to a corporation, partnership, business trust or other associate of a business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
6. The term IDENTIFY means, with respect to a document, to provide its customary business description, date, number, if any (invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.
7. The term PERSON includes, in the plural as well as the singular, any natural person, firm, unincorporated associate partnership, corporation, trust or other entity.

ENCLOSURE B

8. The term TRANSACTION or ARRANGEMENT shall mean every separate agreement, act, deal, instance or occurrence.
9. The term YOU or RESPONDENT shall mean the addressee of this Information Request, the addressee's officers, managers, employees, contractors, trustees, successors, assigns, and agents.

ENCLOSURE C

INFORMATION REQUEST

Please note, if the same document(s) or record(s) are responsive to multiple request, please provide the document or record only once and reference the document in your response to each subsequent request. Additionally, for documents or records that contain data, please submit the responsive information in a file format that may be sorted and/or searched.

1. Please provide the Subpart BB Inspection and Monitoring Plan, as described in the Approved Permit Application Section 10 – page 10-3.
2. Please provide all records resulting from the inspection, monitoring, and repair required by ADEM Admin. Code r. 335-14-5-.28 [40 C.F.R. 264 Subpart BB] and the corresponding conditions of the Permit (No. ALD 070 513 767), from July 2018 to present. These records include but are not limited to the methods used during the inspection or monitoring event, including any instrument calibration documentation, and all data collected in an organized format, the findings of the inspection or monitoring event, and any repairs required or completed during or following the inspection or monitoring event.
3. Please provide all records required by ADEM Admin. Code r. 335-14-5-.28 [40 C.F.R. § 264.1064] and the corresponding conditions of the Permit (No. ALD 070 513 767), and the Subpart BB/CC Equipment Identification List, as described in the Approved Permit Application Section 10 – page 10-3.
4. Please provide all piping and instrumentation diagrams (P&ID) related to all equipment to which ADEM Admin. Code r. 335-14-5-.28 [40 C.F.R. 264 Subpart BB] applies.
5. Please provide the Subpart CC Inspection and Monitoring Plan, as described in the Approved Permit Application Section 10 – page 10-3.
6. Please provide all records resulting from the inspection, monitoring, and repair required by ADEM Admin. Code r. 335-14-5-.29 [40 C.F.R. 264 Subpart CC] and the corresponding conditions of the Permit (No. ALD 070 513 767), from July 2018 to present. These records include but are not limited to the methods used during the inspection or monitoring event, including any instrument calibration documentation, and all data collected in an organized format, the findings of the inspection or monitoring event, and any repairs required or completed during or following the inspection or monitoring event.
7. Please provide a process flow diagram for each process.
8. Please provide a facility layout including the location of the hazardous waste tanks.
9. Please provide a P&ID for each hazardous waste tank.
10. Please provide the equipment specifications for each safety device (emergency device), and pressure relief device associated with each hazardous waste tank and its ancillary equipment.

ENCLOSURE C

11. Please provide daily hazardous waste tank inspections required by ADEM Admin. Code r. 335-14-5-.10 [40 C.F.R. § 264.195] and the corresponding conditions of the Permit (No. ALD 070 513 767), for the period beginning July 2018 to present.
12. Please describe in detail what emission controls the facility has implemented in accordance with ADEM Admin. Code r. 335-14-5-.29 [40 C.F.R. § 264.1082] for each hazardous waste tank, and the date the controls were implemented.
13. Please provide the date of installation for each hazardous waste tank.
14. Please provide the most recent integrity assessment as described in ADEM Admin. Code r. 335-14-5-.10 [40 C.F.R. § 264.191], and/or certification as described in ADEM Admin. Code r. 335-14-5-.10 [40 C.F.R. § 264.192(a) and (g)], as applicable, for each hazardous waste tank.
15. Please state whether or not the facility has provided methods for secondary containment and release detection for each hazardous waste tank in accordance with ADEM Admin. Code r. 335-14-5-.10 [40 C.F.R. § 264.193]. If it has, please state the date(s) these methods were first provided and a description of each method.

ENCLOSURE D
STATEMENT OF CERTIFICATION

Giant Resource Recovery-Attalla, Inc.

I certify that I am authorized to respond to this Information Request on behalf of Giant Resource Recovery-Attalla, Inc., and I certify under penalty of perjury that the foregoing is true and correct. Executed on _____, 2020.

(Signature)

(Printed Name)

(Title)